

---

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

---

RICHARD S. ZABRISKIE,

Plaintiff,

vs.

GRANT MARSH et al.,

Defendants.

ORDER AFFIRMING MAGISTRATE  
JUDGE'S ORDER

Case No. 2:10CV676 DAK

---

This matter is before the court on the Magistrate Judge's Report and Recommendation, dated February 22, 2011 (the "R&R"). In the R&R, the Magistrate Judge recommends that Defendants' Motion to Dismiss be granted and that Plaintiff's Motion to Stay be denied or deemed moot.

Plaintiff has not filed an Objection to the R&R, and the time for doing so has expired. The court has reviewed the complete case file *de novo*, and the court agrees with the Magistrate Judge's recommendations.

Therefore, the court hereby APPROVES AND ADOPTS the Magistrate Judge's Revised R&R in its entirety. Defendants' Motion to Dismiss [Docket No. 24] is hereby GRANTED, and Plaintiff's Motion to Stay [Docket No. 31] is DENIED. All claims are hereby DISMISSED, and the Clerk of the Court is directed to close this case.

DATED this 11<sup>th</sup> day of March, 2011.

BY THE COURT:



DALE A. KIMBALL  
United States District Judge